

COGBURN LAW
Jamie S. Cogburn, Esq.
Nevada Bar No. 8409
jsc@cogburncares.com
Hunter S. Davidson, Esq.
Nevada Bar No. 14860
hsd@cogburncares.com
2580 St. Rose Parkway, Suite 330
Henderson, Nevada 89074
Telephone: (702) 748-7777
Facsimile: (702) 966-3880
Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

COGBURN LAW OFFICE, LLC, a Nevada
limited-liability company, and LORI
CARTER-DAVIS, an individual,

Plaintiffs,

vs.

MEDICARE, a Federal Entity, NBC
OPERATIONS, LLC d/b/a THE NECK AND
BACK CLINICS, a Foreign Limited-Liability
Company; LAS VEGAS RADIOLOGY, LLC,
a Domestic Limited-Liability Company;
THALGOTT, A PROFESSIONAL
CORPORATION, a Domestic Professional
Corporation d/b/a CENTER FOR DISEASES
AND SURGERY OF THE SPINE; SAN
MARTIN SURGERY CENTER, LLC, a
Domestic Limited-Liability Company d/b/a
DURANGO OUTPATIENT SURGERY
CENTER; PBS ANESTHESIA, LLC, a
Domestic Limited-Liability Company; and
STEPHEN A. GEPHARDT, M.D., LTD d/b/a
Nevada Pain Care Center,

Defendants.

Case No. 2:21-cv-01721-JAD-VCF

(Removed from Clark County District Court
Case No. A-21-839472-C)

**STIPULATION AND ORDER FOR
DISMISSAL WITH PREJUDICE**

ECF No. 4

1 WHEREAS, on August 13, 2021, Plaintiffs Cogburn Law Office, LLC and Lori Carter-
2 Davis (“Plaintiffs”) filed a Complaint in Interpleader, regarding \$7,100.00 in settlement proceeds,
3 against Defendants Medicare, NBC Operations, LLC d/b/a The Neck and Back Clinics (“Neck and
4 Back Clinics”), Las Vegas Radiology, LLC (“Las Vegas Radiology”), Thalgott d/b/a Center for
5 Diseases and Surgery of the Spine (“Center for Disease and Surgery”), San Martin Surgery Center,
6 LLC d/b/a Durango Outpatient Surgery Center (“San Martin”), PBS Anesthesia, LLC (“PBS
7 Anesthesia”), and Stephen Gephardt, M.D. LTD d/b/a Nevada Pain Care Center (“Nevada Pain
8 Care Center”).

9 WHEREAS, on August 31, 2021, Las Vegas Radiology disclaimed any and all interest in
10 the settlement proceeds that are the subject of this interpleader action. This disclaimer of interest
11 was filed on September 7, 2021.

12 WHEREAS, on September 9, 2021, Center for Disease and Surgery disclaimed any and all
13 interest in the settlement proceeds that are the subject of this interpleader action. This disclaimer
14 of interest was filed on the same day, September 9, 2021.

15 WHEREAS, on September 9, 2021, PBS Anesthesia disclaimed any and all interest in the
16 settlement proceeds that are the subject of this interpleader action. This disclaimer of interest was
17 filed on September 13, 2021.

18 WHEREAS, on September 14, 2021, Nevada Pain Care Center disclaimed any and all
19 interest in the settlement proceeds that are the subject of this interpleader action. This disclaimer
20 of interest was filed on the same day, September 14, 2021.

21 WHEREAS, on October 7, 2021, San Martin disclaimed any and all interest in the
22 settlement proceeds that are the subject of this interpleader action. This disclaimer of interest was
23 filed on the same day, October 7, 2021.

WHEREAS, Plaintiffs, Medicare, and Neck and Back Clinics are the only remaining parties asserting an interest in the settlement proceeds that are the subject of this interpleader action.

IT IS HEREBY STIPULATED, by and between Plaintiffs, Medicare, and Neck and Back Clinics, by and through their respective attorneys of record, that the \$7,100.00 in settlement proceeds that are the subject of this interpleader action shall be apportioned and distributed as follows:

- \$5,678.35 shall be apportioned to Medicare and made payable to the U.S. Department the Treasury – Coast, P.O. Box 979128, Saint Louis, MO 63197-9000;
- \$500.00 shall be apportioned and distributed to Plaintiff Lori-Carter Davis;
- \$411.15 shall be apportioned and distributed to Plaintiff Cogburn Law; and
- \$510.50 shall be apportioned and distributed to Neck and Back Clinics.

IT IS FURTHER STIPULATED, by and between Plaintiffs, Medicare, and Neck and Back, by and through their respective attorneys of record, that, subject to the aforementioned distributions, all claims and actions be dismissed against all parties with prejudice, each party to bear their own attorney fees and costs.

IT IS SO STIPULATED.

Dated this 13th day of October, 2021.

Dated this 14th day of October, 2021.

COGBURN LAW

WILEY PETERSON

By: /s/Hunter S. Davidson

By: /s/Jonathan D. Blum

Jamie S. Cogburn, Esq.
Nevada Bar No. 8409
Hunter S. Davidson, Esq.
Nevada Bar No. 14860
2580 St. Rose Parkway, Suite 330
Henderson, Nevada 89074
Attorneys for Plaintiffs

Jonathan D. Blum, Esq.
Nevada Bar No. 9515
1050 Indigo Drive, Suite 200B
Las Vegas, Nevada 89145
*Attorneys for NBC Operations, LLC d/b/a
The Neck and Back Clinics*

1 Dated this 13th day of October, 2021.

2 UNITED STATES ATTORNEY

3 By: /s/Stephen Hanson

4 Christopher Chiou, Esq.

Nevada Bar No. 14853

5 Stephen R. Hanson II, Esq.

501 Las Vegas Boulevard, So., Suite 1100

6 Las Vegas, Nevada 89101

7 *Attorneys for the United States of America*

8
9 **ORDER**

10 Based on this stipulation [ECF No. 4] and good cause appearing,

11 IT IS HEREBY ORDERED that this case is DISMISSED with prejudice, each party to bear its
12 own fees and costs. The Clerk of Court is directed to CLOSE THIS CASE.

13
14
15 
UNITED STATES DISTRICT JUDGE

16 10-18-21

17 DATE
18
19
20
21
22
23
24